

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

GARY D. FOBAIR, JR.

Petitioner,

v.

JAMES N. CROSS,

Respondent.

No. 11-CV-361-DRH

JUDGMENT IN A CIVIL CASE

DECISION BY COURT. This matter came before the Court on Report and Recommendation from United States Magistrate Judge Philip M. Frazier.

IT IS ORDERED AND ADJUDGED that pursuant to the order entered by this Court on October 3, 2012, the Report and Recommendation is adopted and this habeas petition pursuant to 28 U.S.C. §2241 is **DENIED**. Petitioner's claims are **DISMISSED** with prejudice.

**NANCY J. ROSENSTENGEL,
CLERK OF COURT**

**BY: /s/Sara Jennings
Deputy Clerk**

Dated: October 4, 2012


Digitally signed by
David R. Herndon
Date: 2012.10.04
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APPROVED:

CHIEF JUDGE
U. S. DISTRICT COURT